

Message Text

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PAGE 01 STATE 060949
ORIGIN EB-08

INFO OCT-01 NEA-10 ISO-00 CAB-02 CIAE-00 COME-00
DODE-00 DOTE-00 INR-07 NSAE-00 FAA-00 L-03 NSC-05
SS-15 INRE-00 NSCE-00 SSO-00 /051 R

DRAFTED BY EB/AN:RABROWN/NHOWELL
APPROVED BY EB/AN:RABROWN
CAB:JMINETTI
CAB:FMURPHY
NEA:MR. DRAPER
-----182347Z 126296 /75-70
O 182229Z MAR 77
FM SECSTATE WASHDC
TO AMEMBASSY BEIRUT IMMEDIATE

C O N F I D E N T I A L STATE 060949

E.O. 11652: GDS

TAGS: EAIR, LE

SUBJECT: CIVAIR

REF: A) BEIRUT 0351, B) STATE 009373, C) BEIRUT 0098
D) STATE 309411, E) BEIRUT 0963

1. SUMMARY: THE UNPREPARED LEBDEL OPENED DISCUSSIONS
WITH STATEMENT IT DID NOT COME TO NEGOTIATE BUT TO EXTEND
EXISTING AGREEMENT. LEBDEL'S TACTICS BASED ON ERRONEOUS
ASSUMPTION THAT ROUTE SCHEDULE VALID UNTIL JUNE 30, 1977.
USDEL PROFFERED REFTELS A-D AS EVIDENCE OF GOL'S FAILURE
TO ACCEPT US PROPOSED EXTENSION OF ROUTE RIGHTS, WITH
EXCEPTION OF PACIFIC, UNTIL JUNE 30. DESPITE MORE THAN
GENEROUS CONCESSIONS OFFERED (IN FACT BEYOND INSTRUCTIONS)
REGARDING TMA ATLANTIC CAPACITY, TALKS FAILED BECAUSE
LEBDEL CHAIRMAN UNWILLING TO OFFER ASSURANCES, CONSIDERED
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VITAL BY USDEL, RE EVENTUAL FREEDOM OF OPERATION IN CASE
OF PAA'S REENTRY. END SUMMARY.

2. LEBDEL AT FIRST SESSION ANNOUNCED IT HAD NOTHING TO
SAY EXCEPT IT EXPECTED USDEL TO GRANT EXTENSIONS OF ROUTE
SCHEDULES. WHEN INFORMED THAT MAJOR ISSUES SUCH AS TMA'S
OPERATING LEVELS, MEA'S PROPOSED OPERATIONS AND PAA'S

EVENTUAL REENTRY WERE ALL POINTS TO BE DISCUSSED AND THAT

PACIFIC ROUTE WAS NOT UNDER NEGOTIATION LEBDEL TOOK EXCEPTION. THE GREATEST PORTION OF THE TALKS CENTERED AROUND USDEL'S ATTEMPTS TO STIMULATE LEBDEL TO ENUNCIATE GOL'S POSITION. FAILING TO OBTAIN THIS, USDEL PROPOSED SEVERAL ALTERNATIVES TO MEET LEBDEL'S REQUIREMENTS AND TO PRODUCE A MUTUALLY BENEFICIAL OPERATING ARRANGEMENT. AFTER NUMEROUS REJECTED OFFERS, USDEL PRESENTED PACKAGE WHICH BECAME NUCLEUS OF FURTHER DISCUSSION.

3. BELOW IS USDEL FINAL PROPOSAL:

(A) MEMORANDUM OF CONSULTATION OF JUNE 13, 1972 IS NO LONGER OPERATIVE.

(B) THE NEW ROUTE SCHEDULE WILL REMAIN THE SAME FOR BOTH SIDES AS IN THE OLD EXCEPT:

(1) THE PACIFIC ROUTE IS EXCLUDED FOR LEBANON AND

(2) THE WORDS WITHIN THE PARENTHESES IN LEBANON'S ROUTE DESCRIPTION, PARAGRAPH 2, BEGINNING WITH "(AND BEYOND" AND ENDING WITH..."NEW YORK)" SHALL BE DELETED. A PERIOD WILL BE PLACED AFTER "...TO NEW YORK." AT THE END OF LINE 2.

(C) THE LEBANESE AUTHORITIES WILL NOT IMPEDE THE IMPLEMENTATION OF ANY SCHEDULES GIVEN TO THEM BY THE US DESIGNATED AIRLINES.

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NATED AIRLINES.

(D) THE LEBANESE AUTHORITIES WILL CONTINUE ITS ASSURANCES THAT MEA WILL NOT OPERATE TO THE U.S.A.

(E) THE LEBANESE AUTHORITIES WILL CONTINUE ITS ASSURANCES THAT TMA'S CAPACITY LEVELS WILL NOT BECOME EXCESSIVE AND THAT ITS PRESENT LEVELS WILL BE ADJUSTED TO EITHER 2-747'S A WEEK OR 4-707'S A WEEK, BUT NOT IN COMBINATION TO EXCEED THE TOTAL CAPACITY OF 4-707'S WEEKLY. (FOR POST FYI-COMMERCIALLY JUSTIFIABLE CAPACITY WOULD BE ONE 707 WEEKLY.)

(F) CHARTERS WILL NOT BE UTILIZED AS A MEANS TO CIRCUMVENT AGREED SERVICE LEVELS.

(G) NO OPERATIONS OF ANY KIND UNDER THIS AGREEMENT IF LEBANESE INTERNATIONAL AIRPORTS ARE NOT UTILIZED OR AVAILABLE TO U.S. AIRLINES, OR IF BEIRUT AIRPORT IS CLOSED TO COMMERCIAL TRAFFIC FOR MORE THAN ONE MONTH.

(H) THE DURATION OF THE AGREEMENT IS UNTIL DECEMBER 31, 1979.

4. UNTIL FINAL SESSION WHICH ENDED WITHOUT AGREEMENT, LEBDEL CHOSE TO CONCENTRATE ON TMA CAPACITY AND RETENTION OF LANGUAGE CONTAINED IN JUNE 13, 1972 MEMCON WHICH THEY HAD PREVIOUSLY INTERPRETED UNILATERALLY TO DENY PAA SCHEDULE CHANGES. CONSIDERABLE TIME WAS SPENT HAGGLING OVER TMA CAPACITY AND FREQUENCIES BUT LEVEL WAS FINALLY AGREED UPON AS ABOVE, ALTHOUGH A LAST MINUTE REFUSAL TO ACCEPT CHARTER CAVEAT WAS INTERJECTED. NO AMOUNT OF PERSUASION OR LOGIC COULD CHANGE LEBDEL'S OUTLOOK AND FINALLY BEYDOUN STATED HE REQUIRED FURTHER AUTHORITY TO AGREE TO TERMINATION OF 1972 MEMCON. AT THIS POINT LEBDEL REQUESTED ADJOURNMENT, PROMISSING TO COMMUNICATE FURTHER THROUGH LEBANESE EMBASSY IN WASHINGTON.

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5. USDEL VERY CAREFULLY AND REPEATEDLY POINTED OUT THAT WHILE AGREEMENT ITSELF REMAINS IN FORCE, ROUTE SCHEDULE CONTAINED THEREIN, AND PACIFIC ROUTING (NEVER PART OF AGREEMENT) EXPIRED DECEMBER 31, 1976, AS RESULT OF GOL FAILURE TO ACCEPT US OFFER AS CONTAINED IN REFTEL D. USDEL FURTHER POINTED OUT THAT TMA'S OPERATIONS SINCE THAT DATE HAVE BEEN CONDUCTED UNDER TERMS OF ADMINISTRATIVE PROCEDURES ACT WHICH APPLYS WHEN RENEWAL APPLICATIONS HAVE BEEN SUBMITTED TO THE CAB. OBVIOUSLY, THE OUTCOME OF THIS PROCEDURE IS UNPREDICTABLE AT THIS TIME, BUT SINCE US AIRLINES HAVE BEEN UNANIMOUS IN THEIR OPPOSITION TO THE STATUS QUO IT MUST BE ASSUMED THAT RENEWAL OF TMA'S PERMIT IS IN QUESTION.

6. POST MAY BE ASSURED THAT USDEL TOOK FULL ACCOUNT OF ALL POLITICAL AND ECONOMIC FACTORS INVOLVED IN CURRENT LEBANON SITUATION. USDEL REPEATEDLY ATTEMPTED TO FORMULATE REASONABLE TERMS WHICH WOULD MEET LEBANESE MARKET NEEDS AND CONCERNS. DEPT BELIEVES THAT USDEL PACKAGE STRUCK PROPER BALANCE BETWEEN GOL INTERESTS AND USG INTERESTS. WE CONSIDERED IT UNFORTUNATE THAT IN RETURN FOR REALISTIC CONCESSIONS LEBDEL WAS UNABLE OR UNWILLING TO MEET OUR MINIMAL CONCERNS RE PAA'S POTENTIAL ACCESS, WHICH AT THIS POINT IS COMPLETELY UNKNOWN. IN OTHER WORDS, LEBDEL CHOSE TO ABORT NEGOTIATIONS RATHER THAN ACCEPT IMMEDIATE TANGIBLE BENEFITS HAMMERED OUT, AND, IN RETURN, PROVIDE RELIABLE ASSURANCES THAT PAA WOULD BE ALLOWED TO EXERCISE OPERATING FLEXIBILITY IF AND WHEN IT DECIDES TO REENTER THE BEIRUT MARKET.

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ORIGIN NEA-04

INFO OCT-01 ISO-00 /005 R

66011

DRAFTED BY: NEA/ARN:WNNHOWELL, JR.

APPROVED BY: NEA/ARN:MDRAPER

-----231236Z 054032 /12

R 221610Z MAR 77

FM SECSTATE WASHDC

TO AMEMBASSY ROME

C O N F I D E N T I A L STATE 060949

FOR DWOR

FOLLOWING REPEAT STATE 60949 SENT ACTION BEIRUT 18 MAR 77

QUOTE C O N F I D E N T I A L STATE 060949

E.O. 11652: GDS

TAGS: EAIR, LE

SUBJECT: CIVAIR

REF: A) BEIRUT 0351, B) STATE 009373, C) BEIRUT 0098

D) STATE 309411, E) BEIRUT 0963

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REGARDING TMA ATLANTIC CAPACITY, TALKS FAILED BECAUSE LEBDEL CHAIRMAN UNWILLING TO OFFER ASSURANCES, CONSIDERED VITAL BY USDEL, RE EVENTUAL FREEDOM OF OPERATION IN CASE OF PAA'S REENTRY. END SUMMARY.

2. LEBDEL AT FIRST SESSION ANNOUNCED IT HAD NOTHING TO SAY EXCEPT IT EXPECTED USDEL TO GRANT EXTENSIONS OF ROUTE SCHEDULES. WHEN INFORMED THAT MAJOR ISSUES SUCH AS TMA'S OPERATING LEVELS, MEA'S PROPOSED OPERATIONS AND PAA'S EVENTUAL REENTRY WERE ALL POINTS TO BE DISCUSSED AND THAT

PACIFIC ROUTE WAS NOT UNDER NEGOTIATION LEBDEL TOOK EXCEPTION. THE GREATEST PORTION OF THE TALKS CENTERED AROUND USDEL'S ATTEMPTS TO STIMULATE LEBDEL TO ENUNCIATE GOL'S POSITION. FAILING TO OBTAIN THIS, USDEL PROPOSED SEVERAL ALTERNATIVES TO MEET LEBDEL'S REQUIREMENTS AND TO PRODUCE A MUTUALLY BENEFICIAL OPERATING ARRANGEMENT. AFTER NUMEROUS REJECTED OFFERS, USDEL PRESENTED PACKAGE WHICH BECAME NUCLEUS OF FURTHER DISCUSSION.

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FURTHER THROUGH LEBANESE EMBASSY IN WASHINGTON.

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UNQUOTE VANCE
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Message Attributes

Automatic Decaptioning: X
Capture Date: 01-Jan-1994 12:00:00 am
Channel Indicators: n/a
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Concepts: NEGOTIATIONS, AVIATION AGREEMENTS
Control Number: n/a
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Sent Date: 18-Mar-1977 12:00:00 am
Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 22 May 2009
Disposition Event:
Disposition History: n/a
Disposition Reason:
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Document Unique ID: 00
Drafter: RABROWN/NHOWELL
Enclosure: n/a
Executive Order: GS
Errors: N/A
Expiration:
Film Number: D770094-0088
Format: TEL
From: STATE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1977/newtext/t19770344/aaaablvz.tel
Line Count: 352
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Litigation Codes:
Litigation History:
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Message ID: 1df1edb5-c288-dd11-92da-001cc4696bcc
Office: ORIGIN EB
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 7
Previous Channel Indicators: n/a
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: 77 BEIRUT 351, 77 STATE 9373, 77 BEIRUT 98
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 11-Mar-2005 12:00:00 am
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 3061978
Secure: OPEN
Status: NATIVE
Subject: CIVAIR
TAGS: EAIR, LE, US
To: BEIRUT
Type: TE
vdkgvwkey: odb://SAS/SAS.dbo.SAS_Docs/1df1edb5-c288-dd11-92da-001cc4696bcc
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22 May 2009
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